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3-13-2003

# STATEWIDE ELECTIONS. FINES FOR FAILURE TO REGISTER OR VOTE. INITIATIVE STATUTE.

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SECRETARY OF STATE  
**KEVIN SHELLEY**  
STATE OF CALIFORNIA

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SEP 03 2003

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August 29, 2003

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND  
PROponents (03230)

FROM: Brianna Lierman  
BRIANNA LIERMAN  
ELECTIONS ANALYST

SUBJECT: FAILURE OF INITIATIVE #973

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named INITIATIVE STATUTE filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: STATEWIDE ELECTIONS. FINES FOR FAILURE TO REGISTER OR VOTE.

SUMMARY DATE: 03/17/03

PROPONENTS: Rev. Christopher DeMars

ELECTIONS DIVISION

1500 11<sup>TH</sup> STREET - 5<sup>TH</sup> FLOOR • SACRAMENTO, CA 95814 • (916) 657-2166 • [WWW.SS.CA.GOV](http://www.ss.ca.gov)

OTHER PROGRAMS: STATE ARCHIVES, BUSINESS PROGRAMS, INFORMATION TECHNOLOGY, EXECUTIVE OFFICE, GOLDEN STATE MUSEUM, MANAGEMENT SERVICES, SAFE AT HOME, DOMESTIC PARTNERS REGISTRY, NOTARY PUBLIC, POLITICAL REFORM





SECRETARY OF STATE  
**KEVIN SHELLEY**  
STATE OF CALIFORNIA

RECEIVED  
MAR 24 2003  
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March 17, 2003

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS AND PROPONENTS  
(CCROV 03050)

FROM: Brianna Lierman  
BRIANNA LIERMAN, Elections Analyst

SUBJECT: **INITIATIVE #973**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**STATEWIDE ELECTIONS.  
FINES FOR FAILURE TO REGISTER OR VOTE.  
INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Rev. Christopher DeMars  
21452 Crestview Drive  
Sonora, CA 95370

(209) 533-1564

ELECTIONS DIVISION  
1500 11<sup>TH</sup> STREET - 5<sup>TH</sup> FLOOR • SACRAMENTO, CA 95814 • (916) 657-2166 • [WWW.SS.CA.GOV](http://www.ss.ca.gov)

**OTHER PROGRAMS:** STATE ARCHIVES, BUSINESS PROGRAMS, INFORMATION TECHNOLOGY, EXECUTIVE OFFICE, GOLDEN STATE MUSEUM, MANAGEMENT SERVICES, SAFE AT HOME, DOMESTIC PARTNERS REGISTRY, NOTARY PUBLIC, POLITICAL REFORM



**#973  
STATEWIDE ELECTIONS.  
FINES FOR FAILURE TO REGISTER OR VOTE.  
INITIATIVE STATUTE.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 373,816  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Monday, 03/17/03
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (EC §336) ..... Monday, 03/17/03
  - b. Last day Proponent can circulate and file  
with the county. All sections are to be filed at the  
same time within each county (EC §336, 9030(a)) ..... Thursday, 08/14/03
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (EC §9030(b)). ..... Tuesday, 08/26/03  
  
(If the Proponent files the petition with the county on a date prior to 08/14/03, the  
county has eight working days from the filing of the petition to determine the total  
number of signatures affixed to the petition and to transmit the total to the Secretary of  
State) (EC §9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures,  
and notifies the counties ..... Thursday, 09/04/03\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(EC §9030(d)(e)) ..... Monday, 10/20/03

\*Date varies based on the date of county receipt of verification.

**INITIATIVE #973**

**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/04/03, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 411,198 or less than 355,125 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 355,125 and 411,198 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a))..... Thursday, 10/30/03\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)). ..... Tuesday, 12/16/03

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 10/30/03, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Saturday, 12/20/03\*

\* Date varies based on receipt of county certification.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures



**BILL LOCKYER**  
Attorney General

*State of California*  
**DEPARTMENT OF JUSTICE**



1300 I STREET, SUITE 125  
P.O. BOX 94425  
SACRAMENTO, CA 94244-2550  
Public: (916) 445-9555

Facsimile: (916) 324-8835  
(916) 324-5490

March 17, 2003

**FILED**

in the office of the Secretary of State  
of the State of California

MAR 17 2003

Kevin Shelley  
Secretary of State  
1500 - 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento, California 95814

KEVIN SHELLEY, Secretary of State

RE: Initiative Title and Summary  
SUBJECT: STATEWIDE ELECTIONS.  
FINES FOR FAILURE TO REGISTER OR VOTE.  
INITIATIVE STATUTE.

By Brianna Hernandez  
Deputy Secretary of State

FILE NO: SA2003RF0001

Dear Mr. Shelley:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,

Tricia Knight  
TRICIA KNIGHT  
Initiative Coordinator

For BILL LOCKYER  
Attorney General

TK  
Enclosures

SA2003 RF0001

Office of the Attorney General  
ATTN: Initiative Coordinator  
1300 I Street  
Sacramento, CA 95814

Reverend Christopher DeMars  
21452 Crestview Dr.  
Sonora, CA 95370  
209-533-1564

RECEIVED  
JAN 23 2003

Attorney General:

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

This is a formal written request that a title and summary of the chief purpose and points of the following initiative be prepared by your office. Enclosed is the required \$200 bond in the form of a postal money order. This is 35.08% of my monthly state disability check, but I believe that it is worth the price.

Thank you,  
Rev. Christopher DeMars  
01/20/2003



----- Begin Text of proposed initiative -----

**Eligible voters who fail to register for or vote in a statewide election shall be fined no less than \$50.**

----- End of proposed initiative Text -----

Date: March 17, 2003  
File No: SA2003RF0001

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

STATEWIDE ELECTIONS. FINES FOR FAILURE TO REGISTER OR VOTE. INITIATIVE STATUTE. Provides that eligible voters who fail to register for, or vote in, a statewide election shall be fined no less than fifty dollars (\$50.00). Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would result in increased revenues from fines on eligible voters not registering or voting – potentially totaling hundreds of millions of dollars each statewide election. Unknown, but likely significant, administrative costs.